

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005
AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS)
ORDINANCE, 2007

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Variations to plans previously approved to convert and extend packing shed to 3 dwellings with associated landscaping and parking
- Erect garage/carport to west boundary and resurface service road.

LOCATION: Birklands Vinery, Les Canus, St. Sampson.

APPLICANT: Mr P Gouveia

This permission is granted under the terms of Sections 15 and 16 of the Land Planning and Development (Guernsey) Law, 2005 (the 'Law').

Date of Grant of Permission: 08/12/2021

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 11/10/2021 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: A7 Design Ltd - 20-1239-P2 PD/02.

Application Ref: FULL/2021/2255

Property Ref: B013680000

Conditions and reasons:-

1.All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun on or before 02/10/2023.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3.The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4.The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 02/10/2020, issued under planning application reference FULL/2020/0926, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

Expiry Date: This permission will cease to have effect on 02/10/2023 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Effect of planning permission:

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

(1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date on which it is granted (or such shorter period as may be specified in the permission).

(2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.

(3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.

(4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.

(5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

Right of appeal against planning decisions:

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision. The official Appeal Notice Forms are available on the States of Guernsey website at www.gov.gg/planningpanel and must be completed with all enclosures in multiples as requested and received within the six months deadline.

Copy of representations made:

In reaching this decision the Authority took into account any written consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

Other Remarks:

Please note that any work which abuts or affects the public highway requires prior approval by Traffic and Highway Services. Please contact Traffic & Highway Services (highways@gov.gg) for further advice. You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with their requirements.

This document is not a Building Licence and confers no approval under the Building Regulations.

A separate Building Control Licence may be required and it is the responsibility of the developer to ensure that ALL necessary consents are obtained and that any pre-commencement conditions are discharged prior to development being commenced.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2021/2255
Property Ref: B013680000
Valid date: 11/10/2021
Location: Birklands Vinery Les Canus St. Sampson Guernsey GY2 4UL
Proposal: Variations to plans previously approved to convert and extend packing shed to 3 dwellings with associated landscaping and parking - Erect garage/carport to west boundary and resurface service road.

Applicant: Mr P Gouveia

RECOMMENDATION - Grant: Planning Permission with Conditions:

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun on or before 02/10/2023.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4. The permission hereby granted relates only to the variation specified above. In all other respects the development shall be carried out in full accordance with the permission dated 02/10/2020, issued under planning application reference FULL/2020/0926, and subject to the terms and conditions thereof.

Reason - To limit the effect of the permission to the specified variation/s only.

OFFICER'S REPORT

Brief Description of the site:

The application site comprises a redundant vinery situated to the south of Les Canus. Surrounding the site the area comprises vineries to the north and south, with residential to the east and fields to the west. The site is situated Outside of the Centres as designated in the Island Development Plan.

Relevant History:

FULL/2021/0013	Variations to plans previously approved to convert and extend packing shed to 3 dwellings with associated landscaping and parking - increase footprint of Units 1 and 3, alteration to fenestration of unit 2 and alter unit boundary lines.	Approved 01/10/2023
FULL/2020/0926	Convert and extend packing shed to three dwellings with associated landscaping and parking	Approved October 2020
FULL/2019/0606	Variations to plans previously approved to convert existing outbuilding into two dwellings - erect an attached car port to side (east) elevation and erect a detached 1.5 storey garage/car port with external staircase to west of dwelling	Approved June 2019
FULL/2018/0340	Convert existing outbuilding into two dwellings	Approved May 2018

Existing Use(s):

Residential Use Class 1

Assessment: *(Tick as appropriate)*

no representation
accords with policy
within curtilage
design acceptable

✓
✓
✓
✓

visual amenity acceptable
no material neighbour impact
traffic not affected

✓
✓
✓

Policies considered most relevant:

OC1: Housing Outside of the Centres;
GP1: Landscape Character and Open Land;
GP8: Design;
GP9: Sustainable development;
GP15: Creation and Extension of Curtilage;
GP16(a): Conversion of Redundant Buildings.

Conclusion/Brief comment:

Planning permission is sought for variations to plans previously approved to convert the existing outbuilding into three dwellings and associated landscaping and parking (FULL/2020/0926). The variations propose the construction of a garage/carport to the west boundary and resurfacing the service/access road into the site.

The proposed variations are in keeping with the design of the original scheme and would not harm the visual amenity, the landscape character or the openness of the surrounding area.

The variations proposed would not affect the amenities afforded to the occupiers of neighbouring properties, or to the future occupiers of the proposed units.

No alterations are proposed to the vehicle access point onto the highway, which will remain as previously approved. Although the proposal will result in the loss of one of the car parking spaces, two allocated car parking spaces will remain for two of the units and one car parking space will remain for the other. However, there is enough space in front of the garage to tandem park should there be a need to. The proposal would therefore not cause a detriment to highway safety.

Confirmation has been received that the development proposed has been designed to consider matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 08/12/2021

